NASSAU COUNTY STORM WATER MANAGEMENT PROGRAM

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"OPEN LETTER TO THE PUBLIC"

March 10, 2003

Dear Friend:

Nassau County has submitted its Notice of Intent in compliance with expanding regulations governing the discharge of storm water runoff into the surface waters of the United States under the National Pollutant Discharge Elimination System (NPDES) Phase II permit program. I would like you to be apprised of the coalition we have built with municipalities throughout the County and again invite you to join us to assure that the surface waters of Nassau County are among the cleanest in the nation.

By working together, we can minimize duplication of services and develop a coordinated strategy to achieve compliance with this mandate. To this end, the County has taken the lead in forming a coalition of local municipalities, who are now cooperatively working to improve the quality of our invaluable water resources by supplementing existing County and local municipal governments' storm water programs and activities with new Best Management Practices.

In this document, you will find the initial Nassau County Storm Water Management Program. The document has been distributed Countywide and details a five-year implementation schedule of activities to meet the requirements of the Phase II permit program. I look forward to your comments and support on this important environmental initiative.

Very truly yours,

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Thomas R. Suozzi
County Executive

NASSAU COUNTY STORM WATER MANAGEMENT PROGRAM

INTRODUCTION

The County of Nassau has developed a storm water management program (NCSWMP) as required for coverage under the New York State Pollution Discharge Elimination System (SPDES) general permit No. GP-02-02. The NCSWMP includes a listing of Best Management Practices (BMP's) that will be implemented by the County and a coalition of local municipalities in order to achieve the regulatory standard of reducing pollutants in the County's storm water to the maximum extent practicable. Existing County and local municipal governments storm water programs and activities designed to protect the County's water quality will be supplemented with new BMP activities. Initial measurable goals and an implementation schedule were developed for each of the BMP's in the NCSWMP. The BMP's, measurable goals, implementation schedule and initial NCSWMP were developed by the County's Department of Public Works with input from Task Groups during a series of meetings held in November and December 2002, and January 2003. The Task Groups consisted of a combination of municipal officials, watershed protection committee members and consulting engineers. The BMP's, measurable goals and implementation schedule were selected based on their ability to meet specific permit requirements and to reduce pollutants in the County's storm water runoff to the maximum extent practicable. They were also selected based upon a general assessment of BMP effectiveness, applicability to Nassau County, and cost associated with the implementation of the BMP's. Effectiveness of the selected BMP's, and success in achieving the selected measurable goals will be reviewed annually and modified, if necessary.

PROGRAM DEVELOPMENT

Nassau County has developed a storm water management program (NCSWMP) in accordance with the New York State Discharge Elimination System (SPDES) requirements for obtaining authorization for storm water discharges and certain non-storm water discharges. This NCSWMP has been developed in accordance with guidelines published by the New York State Department of Environmental Conservation (NYSDEC) for coverage under SPDES General Permit No. GP 02-02. The NCSWMP has been developed to facilitate the County's efforts in reducing storm water pollutants from the County's municipal separate storm sewer system (MS4) to the maximum extent practicable as required by the SPDES General Permit.

The NCSWMP describes specific actions that will be taken over a five-year period to reduce pollutants and protect the County's surface waters. The specific activities to be implemented are referred to as "Best Management Practices" (BMP's). Various BMP's have been developed for each of the six "Minimum Control Measures" (MCM's) required by the General Permit. The NCSWMP also sets measurable goals and provides a schedule for the implementation of the BMP's. Implementation of the selected BMP's is expected to result in reductions of pollutants discharged into the County's streams, lakes, ponds, tidal estuaries, embayments and the Long Island Sound.

BEST MANAGEMENT PRACTICE SELECTION

The Nassau County Department of Public Works hosted an informational workshop on November 19, 2002 on the Phase II regulations. Representatives of 67 Cities, Towns and Villages were invited to participate in the workshop in an effort to develop a coordinated approach to a SWMP. Forty-one municipalities were represented at the workshop. Several consulting engineering firms who represented multiple villages were also in attendance. On December 3, 2002 and January 13, 2003, Task Group meetings were facilitated by the Department of Public Works to develop BMP's for each of the six MCM's. Representatives from 22 municipalities attended the individual task group meetings for each MCM. Consultants who attended the Task Group meetings will undoubtedly represent additional municipalities. The Task Group meetings culminated in the development of this initial NCSWMP.

The County of Nassau and the local municipalities have historically implemented various storm water related BMP's intended to specifically protect the County's storm water quality. An important aspect of developing an effective, compliant and cost effective SPDES Phase II SWMP is to "take credit" for these on-going programs. Details of the County's and local municipalities storm water related programs have been collected, summarized and categorized into each of the six MCM's required by the General Permit. Some of these existing programs meet specific General Permit requirements, while others contribute toward fulfilling the General Permit mandate of reducing pollution to the Maximum Extent Practicable (MEP) Alternative BMP's will be evaluated on a yearly basis as the NCSWMP is reviewed and modified.

MINIMUM CONTROL MEASURES

In accordance with SPDES General Permit requirements, the NCSWMP includes an implementation plan for BMP's in each of six Minimum Control Measures. The six minimum control measures are:

1. Public Participation and Outreach on Storm Water Impacts
2. Public Participation and Involvement
3. Illicit Discharge Detection and Elimination
4. Construction Site Runoff Control
5. Post Construction Runoff Control and,
6. Pollution Prevention and Good Housekeeping

Specific requirements of each MCM are provided in the following sections.

NASSAU COUNTY MUNICIPALITY BACKGROUND

Permit Coverage Area

Nassau County occupies an area 285.4 square miles (182,680 acres) that is located between New York City on the west, Suffolk County on the east, the Atlantic Ocean on the south and the Long Island Sound on the north. The population of Nassau County based upon the 2001 census was 1,334,648. There are 2 Cities, 3 Towns and 62 Villages that are located within the boundaries of Nassau County.

Countywide Program Strategy

The management of storm water and/or the requirements associated with drainage is handled in the county at various levels of government including Nassau County. The strategy that Nassau County has proposed in meeting the requirements of the Phase II Storm Water Regulations is developing a partnership with all the local municipalities to address the common requirements of the regulations. This partnership would be formalized over the initial five-year permit cycle through intermunicipal agreements with various municipalities that show an interest in establishing a Storm Water Compliance Coalition.

While Section E of the Notice of Intent does not identify cooperating MS4s, it is the intent of the County to work with all the municipalities within the county in implementing the various best management practices and to formalize this arrangement over the initial permit cycle

In addition, this document outlines the initial Best Management Practices (BMPs) associated with the required six minimum control measures that the Nassau County will implement.

Storm Water Infrastructure

Storm water within the county is discharged to the surface waters of the United States and to the groundwater. Historically, development within the county prior to 1940 utilized the existing topography in directing and disposing of storm water to the natural streams and ponds. As shown in Figure One, nearly half of the land area in the County drains to surrounding surface waters. In 1953, Ordinance Number 157 was adopted by the Nassau County Board of Supervisors, which pertained to the Regulations for the Subdivision of Land. This regulation and the Department of Public Works requirements that followed, required storm water to remain onsite. The onsite storage of storm water was typically achieved by the installation of drywells, recharge basins or drainage reserve areas. As shown in Figure Two, nearly half of the land area of Nassau County is serviced by recharge basins. In many cases, these facilities also included overflow structures that directed storm water resulting from extreme rainfall events to either other recharge basins or to drainage facilities that ultimately discharged to the surface waters of the United States.

The current inventory of storm water facilities within the County include:

- 3720 storm water outfalls to the waters of the United States, see Figure Three
- 1000 storm water recharge basins, of which, 555 are owned by Nassau County, see Appendix A

- Approximately 57 miles of open stream corridors maintained by Nassau County, see Appendix B

Nassau County has, in the past, initiated Capital Improvement Projects on drainage infrastructure and facilities on an as needed basis. The current administration has initiated, and the Nassau County Legislature has adopted, a Multi-Year Capital Spending Plan whereby drainage improvement projects are proposed, authorized and constructed.

Natural Resources

The Nassau County Soil and Water Conservation District in cooperation with the Nassau County Planning Department completed the Nassau County Natural Resources Inventory in 2000. This document identifies the various natural resources that are utilized as part of the storm water infrastructure by all the municipalities in the county. In addition, the document identifies surface water classifications, the various preserves and open spaces in the county including their significant environmental features and habitats.

Pollutants of Concern

When a storm water discharge enters a New York State Department of Environmental Conservations 303(d) (303(d)) listed water body, the municipality's storm water program must ensure no increase of the listed pollutant of concern to the 303(d) listed water. There are 32 water bodies, see Table A, on the 303(d) list that have the potential to receive storm water runoff from a municipality within Nassau County.

Based upon the 303(d) list the best management practices included in this document for the six minimum control measures have been tailored to address the following pollutants of concern for all storm water discharges:

- Pathogens
- Phosphorus
- PCBs
- Silt and sediment
- Oxygen demand
- Nitrogen

Additional information with regards to these pollutants of concern, the impairments associated with them and the source can be found in the following two documents:

- The 2000 Atlantic Ocean/Long Island Sound Basin Waterbody Inventory and Priority Waterbodies List, Volume 2: Nassau and Suffolk County Waters, Bureau of Watershed Assessment and Research, Division of Water, NYSDEC
- 2001 Nonpoint Water Quality Strategy for Nassau County, Nassau County Soil and Water Conservation District, for the Water Strategy Coordinating Committee of Nassau County

In addition, any municipality that discharges storm water to any waters of the United States that have been approved by the United States Environmental Protection Agency (USEPA) for a Total Daily Maximum Load (TMDL) must include the appropriate best management practices to meet the TMDL storm water allocations.

TMDL for the Long Island Sound

In January 2001, the NYSDEC and the State of Connecticut's Department of Environmental Protection jointly submitted a final TMDL Analysis to Achieve Water Quality Standards for Dissolved Oxygen in the Long Island Sound to the USEPA. The TMDL was approved by the USEPA in April 2001. The TMDL specifies a reduction of 58.8% in the Total Nitrogen Baseline Loads to the Sound by 2014. With the approval, the NYSDEC has prepared a Draft Load Management Plan to meet the Long Island Sound TMDL Requirements for Management Zone 10,- Nassau County. The draft Plan currently indicates that nitrogen loading from storm water be reduced by 15% from baseline conditions. The final version of this document is still pending, however the best management practices included in this document for the six minimum control measures will address nitrogen.

Minimum Control Measure (1) Public Education and Outreach on Storm Water Impacts
Regulatory Requirement

40 CFR 122.34 (b)(1) – Implement a public education program to distribute educational materials to the community of contact, equivalent outreach activities about the impacts of storm water discharges on water bodies and the steps the public can take to reduce pollutants in storm water runoff.

The Public Education and Outreach control measure is directed at educating the public, specific groups, ie., construction trades, and municipal officials to the impact storm water runoff has on the environment. In addition, this education would involve teaching targeted groups steps that can be taken to reduce certain pollutants associated with runoff. Nassau County, has, in the past, and continues to work with and fund many agencies (Nassau County Soil and Water Conservation District and Cornell Cooperative Extension, etc.) and programs that deal with training and educating the general public and targeted audiences.

Important components of this plan include the continuation of forming partnerships with other government entities primarily through existing programs and resources; the utilization of educational materials to promote the program; and reaching diverse audiences such as target communities and children.

Strategies

Nassau County's overall strategy for the implementation of this minimum control measure is to provide guidance and act as a central clearinghouse or library of information associated with the impacts of storm water runoff and the measures to reduce or eliminate the effects the pollutants of concern have on the environment. This centralized information can be tailored to the local watershed issues that are important to the residents and be distributed by local municipalities by a mailing, local display or signage. The distribution of material at a local level can satisfy some of the requirements of a generic Countywide mailings.

Specific strategies to accomplish the tasks associated with the requirements of this minimum control measure as it pertains to Nassau County, the include creating a clearinghouse of educational materials pertaining to storm water and the creation of various educational exhibits and displays for use in libraries, government buildings, community fairs and museums, etc.

In addition, training municipal supervisors on the Phase II requirements is a high priority objective of Nassau County. Since education, training and information dissemination are key elements to several minimum control measures, the County will attempt to organize seminars, workshops and programs to address as many of the MCM's as possible. Nassau County will also pursue grant funding opportunities in an effort to accomplish certain components of this control measure through coordination with Nassau County's Grant Office.

Finally, Nassau County would like to provide links to storm water websites from the existing Nassau County government website. In summation, our approach to reach the public regarding minimum control measure (1) is utilizing a combination of methods

including use of the internet, public exhibits and displays, utilizing existing programs and agencies, and disseminating educational materials via mailings, brochure and flyer distribution.

Minimum Control Measure (1) Public Education and Outreach on Storm Water Impacts

MEASURABLE GOALS

Target Date	Best Management Practice Activity
Year 1:	
MARCH 10, 2003- MARCH 9, 2004	INVESTIGATE FEASIBILITY OF UTILIZING THE SERVICES PROVIDED BY ADOPT-A-STORMDRAIN ORGANIZATION.
	CONTACT EXISTING ORGANIZATIONS AND INVENTORY THEIR RESOURCES (BROCHURES, POSTERS, EDUCATIONAL MATERIALS, WEBSITES).
	CONTINUE TO PARTICIPATE IN THREE COMMUNITY FESTIVALS ON AN ANNUAL BASIS UTILIZING EXISTING EDUCATIONAL MATERIALS.
	SEARCH AND APPLY FOR GRANT FUNDING OPPORTUNITIES FOR THE PURPOSE OF CREATING EDUCATIONAL DISPLAYS (LISS SMALL GRANTS PROGRAM, ETC.) AND FOR THE PURPOSE OF CREATING A NASSAU COUNTY BROCHURE ON THE PHASE II PROGRAM FOR THE GENERAL PUBLIC.
	IDENTIFY APPROPRIATE FORUM FOR DISCUSSION OF ANNUAL REPORT
Year 2:	
MARCH 10, 2004 - MARCH 9, 2005	CREATE A CLEARINGHOUSE OF EDUCATIONAL MATERIALS AND DISSEMINATE THE INFORMATION (AS A RESULT OF THE YEAR 1 INVENTORY) TO COMMUNITIES, GROUPS, ETC. COMMUNITIES SHOULD DISSEMINATE SOME INFORMATION THROUGH UTILITY BILLS AND NEWSLETTERS.
	CREATE TABLETOP DISPLAYS THAT MAY BE USED FOR PUBLIC EDUCATION PURPOSES AND EXHIBIT THEM AT PUBLIC LIBRARIES, GOVERNMENT BUILDINGS, ETC.
	CREATION OF A PHASE II EDUCATIONAL EXHIBIT AT A TARGETED MUSEUM (NASSAU COUNTY CHILDRENS MUSEUM).
	NASSAU COUNTY WEBSITE-PROVIDE LINK TO STORMWATER MANAGEMENT PAGE.
Year 3:	
MARCH 10, 2005-MARCH 9, 2006	TRAIN MUNICIPAL SUPERVISORS ON THE GENERAL PHASE II PROGRAM AND ASSOCIATED REQUIREMENTS.
Year 4:	
MARCH 10, 2006- MARCH 9, 2007	ALL MUNICIPAL EMPLOYEES TO BE TRAINED ON THE PHASE II PROGRAM.
	A CERTAIN PERCENTAGE OF COMMUNITY GROUPS, CHILDREN, ORGANIZATIONS IMPACTED VIA THE CREATION AND DISTRIBUTION OF EDUCATIONAL MATERIALS.
Year 5:	
MARCH 10, 2007- MARCH 9, 2008	CONDUCT A REVIEW OF PROGRAM AND DESCRIBE CHANGES FOR SUCCEEDING PERMIT TERM IF NECESSARY.

Minimum Control Measure (2) Public Involvement / Participation Regulatory Requirement

> **40 CFR 122.34 (b)(2) -At a minimum, comply with state, tribal, and local public notice requirements when implementing a public involvement/participation program. *EPA recommends that the public be included in developing, implementing, and reviewing your storm water management program and that the public participation process should make efforts to reach out and engage all economic and ethnic groups.***

Public Involvement/Participation control measure is directed at involving the public in the development, implementation and reviewing of a storm water management program. Nassau County has, in the past, and intends to continue to work with many volunteer organizations, watershed groups and non-profit organizations in an effort to reach the general public and solicit input to the Nassau County Storm Water Management Program (NCSWMP).

An important component of this plan is to specifically educate audiences pertaining to storm-water management, and to reduce pollutants of concern in storm water discharges to the maximum extent practicable.

Strategies

Nassau County's overall strategy for the implementation of this minimum control measure is to provide guidance and act as a clearinghouse to other municipalities in Nassau County for activities associated with best management practices. This information can be utilized by the smaller municipalities through the implementation of local and/or watershed based activities.

To accomplish the tasks associated with the requirements of this minimum control measure as it pertains to Nassau County, the specific strategies include developing a countywide storm drain-stenciling program, continuing the adopt-a-spot program where the public can be involved with cleanups of stream corridors, ponds, parks, beaches and roadways.

In addition, the continuation of working with watershed based organizations and in some cases providing funding to such organizations is a very important component of meeting the requirements of this minimum control measure.

Finally, implementing procedures to allow the public to readily access documents and records pertaining to the program, including annual reports and meeting minutes will be a goal of this minimum control measure. The implementation of new ways to advertise meetings on these issues other then just legal notices will be encouraged via mailings, flyers etc. These strategies are geared to educate and inform the general public of the program, pollutants of concern in storm water discharges and about the specific watersheds in which they live.

Minimum Control Measure (2) Public Involvement / Participation

MEASURABLE GOALS

Target Date	**Best Management Practice Activity**
Year 1:	
MARCH 10, 2003- MARCH 9, 2004	STORMWATER CONTACT PERSON IDENTIFIED
	DEVELOP STORM DRAIN STENCILING PROGRAM
	CONTINUE IMPLEMENTING AN ADOPT-A-STREAM PROGRAM, STREAM, BEACH CLEANUP PROGRAM
	INVENTORY EXISTING AND DEVELOP NEW MAILING LISTS
	CONTINUE TO WORK WITH WATERSHED BASED ORGANIZATIONS AND COMMITTEES AND ENCOURAGE MUNICIPALITIES NOT CURRENTLY INVOLVED IN SUCH ORGANIZATIONS TO JOIN A COMMITTEE THAT EXISTS WITHIN THEIR RESPECTIVE WATERSHED. NASSAU COUNTY WILL CONTINUE TO PARTICIPATE ON THE MANHASSET BAY PROTECTION COMMITTEE AND HEMPSTEAD HARBOR PROTECTION COMMITTEE AS WELL AS CONTINUE TO PARTICIPATE ON THE LONG ISLAND SOUND STUDY AND SOUTH SHORE ESTUARY RESERVE COUNCIL.
	CONTEST TO CREATE LOGO FOR NASSAU COUNTY PHASE II PROGRAM
	MAIL BASELINE HOME ASSESSMENT/ATTITUDE SURVEY REGARDING HOME POLLUTANTS AND THEIR GENERAL KNOWLEDGE OF THE WATERSHED IN WHICH THEY LIVE.
	GOOSE MANAGEMENT PLAN ADOPTED
Year 2:	
MARCH 10, 2004 - MARCH 9, 2005	CREATE PROCEDURE FOR THE PUBLIC TO ACCESS DOCUMENTS, INFORMATION AND PUBLIC REVIEW OF PLANS AND ANNUAL REPORTS.
	IMPLEMENT NEW WAYS TO ADVERTISE PUBLIC MEETINGS AND FORUMS VIA FLYERS AND NEWSLETTERS, MASS MAILINGS IN A TARGET COMMUNITY, ETC.
Year 3:	
MARCH 10, 2005-MARCH 9, 2006	MAIL ANOTHER HOME ASSESSMENT/ATTITUDE SURVEY REGARDING HOME POLLUTANTS AND THEIR GENERAL KNOWLEDGE OF THE WATERSHED IN WHICH THEY LIVE AND COMPARE RESULTS WITH THE BASELINE SURVEY.
Year 4:	
MARCH 10, 2006- MARCH 9, 2007	CONTINUE TO PROVIDE RESOURCES FOR VOLUNTEER STREAM, POND, ROADWAY AND BEACH CLEANUPS.
Year 5:	
MARCH 10, 2007- MARCH 9, 2008	CONDUCT A REVIEW OF PROGRAM AND DESCRIBE CHANGES FOR SUCCEEDING PERMIT TERM IF NECESSARY.

Minimum Control Measure (3) Illicit Discharge Detection and Elimination Regulatory Requirement

40 CFR 122.34 (b)(3) -Develop, implement, and enforce a program to detect and eliminate illicit discharges into your small MS4. Develop a storm sewer system map, showing the location of all outfalls and the names and locations of all water of the U.S. that receive discharges from those outfalls. To the extent allowable under state, tribal or local law, effectively prohibit, through ordinance, or other regulatory mechanism, non-storm water discharges into your storm sewer system and implement appropriate enforcement procedures and actions. Develop and implement a plan to detect and address non-storm water discharges including illegal dumping to your system. Inform public employees, businesses, and the general public of hazards associated with illegal discharges and improper disposal of waste. Address categories listed in 122.34(b)(3)(D)(iii) if you determine they are significant contributors of pollutants to MS4.

The illicit discharge detection and elimination is a minimum control measure used to identify and eliminate any discharge that is not composed entirely of storm water. Discharges from MS4's often include wastes and wastewater from non-storm water sources. Illicit discharges enter the system through either direct connection via piping or indirect connections such as infiltration from failed sanitary systems or spills on roads that are collected by catch basins. The result is untreated discharges that contribute high levels of pollutants including heavy metals, toxics, oil and grease, solvents, nutrients, viruses and bacteria to receiving waterbodies.

This minimum control measure will involve both municipal staff and local citizens. Nassau County will locate illicit discharge problem areas through sampling of major streams, public complaints, visual screening and dry weather screening methods. The program will work to detect and eliminate illicit discharges.

Strategies

A Geographic Information System (GIS) will be used to generate a map showing the location of all storm sewer outfalls and all the waters that receive storm water discharges. Nassau County will add outfall ownership to the system map as this data becomes available from the local municipalities.

Routine sampling of the major streams throughout the County will be used to identify water quality trends and generate reports. This data will be used to separate the County into low, medium and high priority areas. Nassau County will then begin the detection and elimination of illicit discharges to the surface waters most affected.

Nassau County field personnel will use the sampling data during dry weather flow inspections to help pinpoint sources of illicit discharges. We will then work with the local municipalities and the Nassau County Department of Health (NCDH) to gain access to the building or property suspected of the discharge. Dye testing of all possible sources will be done to confirm the connection to the storm water system. Another field screening method that will be employed is video inspection of storm sewers.

Other Nassau County agencies that will be trained in illicit discharge detection will include NCDH, Road Maintenance and the Department of Recreation and Parks. All data and inspections done by these agencies will be incorporated into the program. A Nassau County Hotline will be instituted to allow the input of citizen's complaints.

A drainage use ordinance will be enacted to regulate what can legally enter the storm sewer system, which agency will enforce it, the powers of the enforcement agency and the enforcement actions to be taken if the ordinance is violated. The enforcement actions that will be taken against those properties found to be in non-compliance or that refuse to allow access to their facilities will vary. Possible actions include cease and desist orders, suspension of sanitary sewer service, and criminal and civil penalties, including charging the owner of the property for the cost of abatement.

The local municipalities will be enacting a certification program of septic systems that will help pinpoint sources of sewage entering our storm sewer system. The certification program will trigger dye testing of plumbing fixtures when a permit is issued from the local municipality.

Minimum Control Measure (3) Illicit Discharge Detection and Elimination

MEASURABLE GOALS

Target Date	**Best Management Practice Activity**
Year 1:	
MARCH 10, 2003- MARCH 9, 2004	STORM SEWER OUTFALL MAP COMPLETE.
	RECYCLING PROGRAM FOR HOUSEHOLD HAZARDOUS WASTE IN PLACE.
	INVESTIGATE AND APPLY FOR GRANT FUNDING TO DEVELOP AND IMPLEMENT THE REQUIREMENTS OF THIS CONTROL MEASURE.
	ESTABLISH BASELINE OF WATER QUALITY FOR MAJOR STREAMS.
	PRIORITIZE TRIBUTARY AREAS FOR DETAILED SCREENING. INSPECT FOR DRY WEATHER FLOW IN HIGH PRIORITY AREAS.
	EVALUATE CURRENT REGULATIONS WITH RESPECT TO ILLICIT DISCHARGES.
	EVALUATE CURRENT INSPECTION PRACTICES PERFORMED BY MUNICIPALITIES AT COMMERCIAL ESTABLISHMENTS.
	ESTABLISH DIALOGUE WITH COUNTY DEPARTMENTS INVOLVED IN FORMULATING DRAINAGE USE ORDINANCE.
Year 2:	
MARCH 10, 2004 – MARCH 9, 2005	TRAINING OF MUNICIPAL SUPERVISORS COMPLETED.
	DETECTION OF ILLICIT DISCHARGES IN HIGH PRIORITY AREAS COMPLETED.
	WRITING OF DRAINAGE USE ORDINANCE COMPLETED.
	BEGIN PROCESS OF ESTABLISHING LOCAL CERTIFICATION PROGRAM FOR SEPTIC SYSTEMS.
	INSPECTION OF OUTFALLS FOR DRY WEATHER FLOW COMPLETED.
	HOTLINE ESTABLISHED TO REPORT DUMPING AND ILLICIT DISCHARGES.
Year 3:	
MARCH 10, 2005 – MARCH 9, 2006	TRAINING FOR ALL MUNICIPAL EMPLOYEES COMPLETED.
	25% OF SOURCES OF ILLICIT DISCHARGES DETECTED IN MEDIUM PRIORITY AREAS.
	LEGAL/LEGISLATIVE PROCESS FOR DRAINAGE USE ORDINANCE COMPLETED AND ORDINANCE IN PLACE.
	5% OF ILLICIT DISCHARGES ELIMINATED.

MEASURABLE GOALS (continued)

	LOCAL CERTIFICATION PROGRAM FOR SEPTIC SYSTEMS IN PLACE.
Year 4:	
MARCH 10, 2006 – MARCH 9, 2007	DETECTION OF ILLICIT DISCHARGE SOURCES IN MEDIUM PRIORITY AREAS COMPLETED.
	IDENTIFICATION OF OWNERSHIP OF MOST OUTFALLS COMPLETE.
	20% OF ILLICIT DISCHARGES ELIMINATED.
Year 5:	
MARCH 10, 2007 – MARCH 19, 2008	DETECTION OF ILLICIT DISCHARGES IN LOW PRIORITY AREAS COMPLETED.
	40% OF ILLICIT DISCHARGES ELIMINATED.
	CONDUCT A REVIEW OF PROGRAM AND DESCRIBE CHANGES FOR SUCCEEDING PERMIT TERM IF NECESSARY.

Minimum Control Measure (4) Construction Site Storm Water Runoff Control Regulatory Requirement

40 CFR 122.34 (b)(4) - You must develop, implement, and enforce a program to reduce pollutants in any storm water runoff to your small MS4 from construction activities that result in a land disturbance of greater than or equal to one acre. Program must include: the development and implementation of (at a minimum) an ordinance or other regulatory mechanism to require erosion and sediment controls, as well as sanctions to ensure compliance, requirements for construction site operators to implement appropriate erosion and sediment control BMPs, requirements for construction site operators to control waste at the construction site, procedures for site plan review which incorporate consideration of potential water quality impacts, procedures for receipt and consideration of information submitted by the public.

Construction site storm water runoff control is a minimum control measure designed to address the pollution of storm water runoff generated at construction sites. Activities that are performed on construction sites usually disturb a large amount of land and generate large amounts of waste. This has been found to lead to elevated levels of sediment, phosphorous, nitrogen, pesticides, petroleum derivatives, construction chemicals, and solid wastes in receiving streams and estuarine areas. During a short period of time, construction sites can contribute more sediment to streams than can be deposited naturally during several decades. The resulting siltation, and the contribution of other pollutants from construction sites, can cause physical, chemical and biological harm to our nation's waters.

Strategies

The major issue in addressing this control measure is related to the limited regulatory authority that Nassau County presently wields over site developers and construction site managers. The County does not issue building permits, hence, there is no County mechanism in place to enforce compliance with any program. These responsibilities would fall directly on the many local Towns and Villages, whose building departments would have the necessary controls in place including non-monetary penalties, fines, bonding requirements, and permit denials.

Nassau County has, however, provided formalized drainage guidelines for site developers throughout the years. These drainage guidelines pertain to the handling of storm water runoff generated at the development and the provision that certain storm water quantities be contained within that development. Through the enactment of Section 239-F of the General Municipal Law by the New York State Legislature, the County developed guidelines for site grading and drainage as they relate to the erection of buildings having frontage on, direct access to, or are otherwise directly related to any portion of the 500 miles of County roads. These guidelines suggest that 2 inches of rainfall at an appropriate runoff factor be contained in dry wells within the site.

With regard to larger developments, or sub-divisions, the County has developed recommended guidelines based on current engineering practice. These guidelines recommend that eight (8) inches of on-site storage be provided when no connection or

overflow to another drainage system is possible. In those cases where connection or overflow to another drainage system is possible and allowable, then five (5) inches of on-site storage should be provided. These guidelines, whether 2, 5 or 8 – inches, insure that storm water runoff generated at the development is contained within the site and will not be discharged to the waters of the United States, thereby providing a protective safeguard to those waters.

Only since the promulgation of the Federal Phase I regulations has sediment and erosion control been examined and included in site plan review on the County level. For example, when plans are examined for site grading and drainage, then requirements for sediment and erosion controls at the construction site are also specified. Under this minimum control measure however, a more formalized compliance mechanism needs to be established in order to meet the requirements for this measure.

Model Ordinance

The County's initial strategy would be to review existing ordinances/requirements on both the County and local level to determine if existing regulations are in place that address sediment and erosion control and waste management at construction sites. If current practices are not appropriate to satisfy the minimum control measure, or if amendments/modifications to existing programs are insufficient, then the County will develop a model ordinance that will control storm water runoff pollution from new development and redevelopment projects. The ordinance will detail sediment and erosion control and waste control requirements for construction sites and will be the mechanism to enforce compliance with these requirements. This model ordinance should be adopted by the local municipalities and would include recommended Best Management Practices (BMP's) and reference materials for controlling sediment and erosion and methods to control construction waste such as discarded building materials, concrete truck washout, chemicals, litter, and sanitary waste. This ordinance will serve as guidance for construction site operators to establish control measures appropriate to their activities and size.

Site Plan Review

The County would review and modify its site plan review process to ensure compliance by construction site operators and consistency with erosion and sediment control and waste disposal methods as detailed in the model ordinance. The County would urge all local municipalities to evaluate and update their own site plan review procedures to ensure that the appropriate sediment and erosion control procedures are in place and in compliance. In addition to the review procedures, site inspections and enforcement of control measures must be in place once construction begins. The County, having no regulatory authority in the case, will seek the assistance of each municipality that issues building permits to conduct site inspections and impose enforcement actions, if necessary. The County will provide the resources and guidance to educate site plan reviewers, site inspectors as well as construction site managers. This education program could include the development of a training program for contractors, construction site managers, building inspectors and site plan reviewers. Documents such as *New York Guidelines for Urban Erosion and Sediment Control,* and the *New York State Storm Water Management Design Manual* will be heavily relied on to provide standardized guidelines for sediment and erosion control at construction sites.

Receipt of Public Inquiries

A final requirement under this minimum control measure is the development of a procedure for the receipt and consideration of public inquiries, concerns, and information submitted regarding local construction activities. The County, and most local municipalities already receive and respond to numerous inquiries from the public. This provision is intended to further reinforce the public participation component of the Storm Water Management Program and to recognize the crucial role that the public can play in identifying instances of noncompliance.

Information submitted by the public need only be considered and may not necessarily require a follow-up or response, but the County or the local municipality should demonstrate acknowledgment and consideration of the information submitted. Given the County's minimal involvement with construction oversight, the County would seek the assistance of the local municipalities to oversee the collection of public inquiries. The County will assist in developing a formalized procedure to ensure that information received from the public is directed to construction site inspectors for consideration.

Minimum Control Measure (4) Construction Site Storm Water Runoff Control

MEASURABLE GOALS

Target Date	**Best Management Practice Activity**
Year 1:	
PRESENT – MARCH 9, 2004	**SITE PLAN REVIEW** – REVIEW AND DRAFT REVISIONS TO NCDPW PROCEDURES FOR SITE PLAN REVIEW UNDER SECTION 239-F OF THE MUNICIPAL LAW TO INCLUDE MEASURES FOR SEDIMENT AND EROSION CONTROL AND CONSTRUCTION WASTE MANAGEMENT REVIEW AND DRAFT REVISIONS TO NCDPW REQUIREMENTS FOR SEDIMENT AND EROSION CONTROL AS PART OF SUB-DIVISION REVIEW PROCESS DEVELOP AND IMPLEMENT CONTRACTOR/DEVELOPER CERTIFICATION PAGE TO SIGNIFY THAT A NOI AND SWPPP WILL BE PREPARED (COPY OF NOI TO DPW)
MARCH 10, 2003 – MARCH 9, 2004	**MODEL ORDINANCE** – REVIEW AND EVALUATE CURRENT NCDPW ORDINANCES PERTAINING TO EROSION & SEDIMENT CONTROL AND CONSTRUCTION WASTE MANAGEMENT PRACTICES REVIEW AND EVALUATE CURRENT ORDINANCES PERTAINING TO EROSION & SEDIMENT CONTROL AND CONSTRUCTION WASTE MANAGEMENT PRACTICES OF LOCAL MUNICIPALITIES
MARCH 10, 2003 – MARCH 9, 2004	**RECEIPT OF PUBLIC INQUIRIES** – REVIEW EXISTING PROCEDURES FOR RECEIVING INQUIRIES FROM THE PUBLIC. MODIFY PROCEDURES, IF NECESSARY.
Year 2:	
MARCH 10, 2004 – MARCH 9, 2005	**SITE PLAN REVIEW –** ISSUE REVISIONS AS REQUIRED TO SECTION 239-F TO INCLUDE SEDIMENT AND EROSION CONTROL AND CONSTRUCTION WASTE MANAGEMENT PRACTICES ISSUE REVISIONS AS REQUIRED TO THE SUBDIVISION REVIEW PROCEDURE TO INCLUDE SEDIMENT AND EROSION CONTROL AND CONSTRUCTION WASTE MANAGEMENT PRACTICES DEVELOP INITIAL TRAINING PROGRAM FOR CONTRACTORS, CONSTRUCTION SITE MANAGERS, INSPECTORS AND PLAN REVIEWERS.
MARCH 10, 2004 – MARCH 9, 2005	**MODEL ORDINANCE** - DRAFT ORDINANCE THAT DETAILS SEDIMENT AND EROSION CONTROL AND CONSTRUCTION WASTE MANAGEMENT PRACTICES.
MARCH 10, 2004 – MARCH 9, 2005	**RECEIPT OF PUBLIC INQUIRIES** – CONTINUE ACCEPTANCE OF PUBLIC INQUIRIES
Year 3:	
MARCH 10, 2005 – MARCH 9, 2006	**SITE PLAN REVIEW** – ORGANIZE TWO SEMINARS ON SEDIMENT AND EROSION CONTROL AND CONSTRUCTION WASTE MANAGEMENT PRACTICES AT CONSTRUCTION SITES. CONTINUE COMPLIANCE WITH MODIFICATIONS TO SUBDIVISION REVIEW PROCEDURE

MEASURABLE GOALS (continued)

	CONTINUE COMPLIANCE WITH MODIFICATIONS TO 239-F REVIEW PROCEDURE
	ENFORCE COMPLIANCE OF CONTRACTOR/DEVELOPER CERTIFICATION PAGE
MARCH 10, 2005 – MARCH 9, 2006	**MODEL ORDINANCE** - ADOPT ORDINANCE THAT DETAILS SEDIMENT AND EROSION CONTROL AND CONSTRUCTION WASTE MANAGEMENT PRACTICES
MARCH 10, 2005 – MARCH 9, 2006	**RECEIPT OF PUBLIC INQUIRIES** - CONTINUE ACCEPTANCE OF PUBLIC INQUIRIES. MODIFY PROCEDURE, IF REQUIRED.

Year 4:

MARCH 10, 2006 – MARCH 9, 2007	**SITE PLAN REVIEW –** CONTINUE COMPLIANCE WITH BOTH SUBDIVISION AND 239-F REVIEW PROCEDURES
MARCH 10, 2006 – MARCH 9, 2007	**MODEL ORDINANCE** – ENFORCE ORDINANCE TO THE MAXIMUM EXTENT PRACTICABLE**.**
MARCH 10, 2006 – MARCH 9, 2007	**RECEIPT OF PUBLIC INQUIRIES** – CONTINUE TO ACCEPT PUBLIC INQUIRIES

Year 5:

MARCH 10, 2007 – MARCH 9, 2008	CONTINUE YEAR 4 ACTIVITIES. CONDUCT A REVIEW OF PROGRAM AND PRESCRIBE CHANGES FOR SUCCEEDING PERMIT TERM IF NECESSARY.

Minimum Control Measure (5) Post Construction Storm Water Management for New Development / Redevelopment

Regulatory Requirement

40 CFR 122.34 (a)(5) –Develop, implement and enforce a program to address storm water runoff from new development and redevelopment projects that disturb greater than one acre, including projects that are less than one acre that are part of a larger common plan of development or sale, that discharge into your small MS4. Develop and implement strategies which include a combination of structural and/or non-structural BMP's appropriate for your community. Use an ordinance or other regulatory mechanism to address post-construction runoff. Ensure adequate long-term operation and maintenance of BMP's.

This minimum control measure focuses on implementation of controls that will try to maintain good water quality conditions after an area has been developed or after construction. An effective plan to accomplish this goal is to recommend planning and design strategies that will minimize the introduction of pollutants in post-construction storm water discharges. There are two basic ways that post-construction runoff can negatively impact water quality. The first is caused by an increase in the type and quantity of pollutants in storm water runoff. As runoff flows over areas altered by development, it picks up harmful sediment and chemicals, which, in turn, can impair lakes, ponds and streams. The second kind of post-construction impact occurs by increasing the quantity of water delivered to a water body during storms. Impervious areas decrease the amount of water recharged to the groundwater system, increase flow velocities and the time of concentration, which could lead to flooding and damage to storm drainage infrastructure. The challenge of this minimum control measure is to encourage developers and consulting design engineers to take storm water quality into account early in the development planning process. The development or modification to existing regulations, ordinances or planning strategies by municipal government that will emphasis storm water quality is the linchpin of this control measure.

Strategies

Nassau County is in a similar position with this minimum control measure as with measure # 4- Construction Site Storm Water Runoff Control. The County has limited regulatory authority at the present time to restrict site development, or require the implementation of structural or non-structural controls in areas located beyond its jurisdiction, (such as incorporated villages). Incorporated areas within the County have existing planning departments, zoning boards etc., that have the regulatory authority to impose restrictions on site development/redevelopment. As detailed in the previous section on construction site storm water runoff control, the County, through the Department of Public Works, has formalized drainage requirements for subdivisions and other developments and redevelopments. These requirements and guidelines already provide a strong foundation for storm water quality improvement at site development and redevelopment within the County.

Since the requirements of this measure are closely tied to the requirements of the construction site runoff control minimum measure, the USEPA recommends that small MS4 operators develop and implement minimum control measures 4 and 5 together. The County's initial strategy would be to review existing ordinances/requirements on both the County and local level to determine if existing regulations address improvements to storm water quality to the maximum extent practicable. Modifications to these ordinances/requirements will be developed to include the selection and design of appropriate non-structural and structural BMP's. These BMP recommendations will include:

- **Planning** – Runoff problems can be addressed effectively with sound planning procedures. The planning process should include Master Plans, Comprehensive Plans, zoning ordinances that can promote improved water quality.
- **Non-Structural Practices** – Controls intended to prevent or control the sources of pollutants such as buffer strips, minimization of disturbance and imperviousness, and maximization and preservation of open space.
- **Structural Practices** – These controls are intended to reduce the amount of pollutants that enter waterways, such as:

    1. ***Storage Practices***: Storage or detention BMP's control storm water by gathering runoff in wet ponds, dry basins, or multi-chambered catch basins and slowly releasing it to receiving waters or drainage systems. These practices both control storm water volume and settle out particulates for pollutant removal.
    2. ***Infiltration Practices***: Infiltration BMP's are designed to facilitate the percolation of runoff through the soil to ground water, and, thereby, result in reduced storm water quantity and reduced mobilization of pollutants. Examples include infiltration basins/trenches, dry wells, and porous pavement.
    3. ***Vegetative Practices***: Vegetative BMP's are landscaping features that, with optimal design and good soil conditions, enhance pollutant removal, maintain/improve natural site hydrology, promote healthier habitats, and increase aesthetic appeal. Examples include grassy swales, filter strips, artificial wetlands and rain gardens.

Minimum Control Measure (5) Post Construction Storm Water Management for New Development / Redevelopment

MEASURABLE GOALS

Target Date	Best Management Practice Activity
Year 1:	
PRESENT – MARCH 9, 2004	**PLANNING** – REVIEW AND EVALUATE CURRENT NCDPW ORDINANCES PERTAINING TO STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVLOPMENT. REVIEW AND EVALUATE CURRENT ORDINANCES OF LOCAL MUNICIPALITIES PERTAINING TO STORM WATER MANAGEMENT IN NEW DEVELOPMENT AND REDEVLOPMENT.
Year 2:	
MARCH 10, 2004 – MARCH 9, 2005	**PLANNING** - DRAFT SECTION OF MODEL ORDINANCE THAT DETAILS NON-STRUCTURAL AND STRUCTURAL BMP'S TO BE CONSIDERED IN NEW DEVELOPMENT AND REDEVELOPMENT. PROVIDE POLICY STATEMENT TO DEVELOPERS AND DESIGN ENGINEERS ON STORM WATER QUALITY IMPROVEMENTS TO BE RECOMMENDED AT DEVELOPMENTS AND REDEVELOPMENTS PROMOTE MODIFICATIONS TO EXISTING ORDINANCE.
Year 3:	
MARCH 10, 2005 – MARCH 9, 2006	IMPLEMENT CHANGES TO ORDINANCE
Year 4:	
MARCH 10, 2006 – MARCH 9, 2007	ENFORCE ORDINANCE TO THE MAXIMUM EXTENT PRACTICABLE**.**
MARCH 10, 2006 – MARCH 9, 2007	RECOMMEND AND IMPLEMENT ADDITIONAL MODIFICATIONS TO ORDINANCE, IF NECESSARY.
Year 5:	
MARCH 10, 2007 – MARCH 9, 2008	CONTINUE YEAR 4 ACTIVITIES. CONDUCT A REVIEW OF PROGRAM AND PRESCRIBE CHANGES FOR SUCCEEDING PERMIT TERM IF NECESSARY.

Minimum Control Measure (6) Pollution Prevention/Good Housekeeping

Regulatory Requirement

40 CFR 122.34 (b)(6) –Develop and implement an operation and maintenance program that includes a training component and has the ultimate goal of preventing or reducing pollutant runoff from municipal operations.

The goal of the Pollution Prevention/Good Housekeeping minimum control measure is to reduce pollutant runoff from Nassau County municipal operations. This plan covers Nassau County facilities only and does not incorporate the operations of the other various municipalities located within the County. The pollution prevention plans that will be developed for Nassau County facilities will institute procedures that effectively address such issues as hazardous materials storage, proper handling and disposal of street sweepings, floatables and other debris, spill clean up and vehicle storage. A regularly scheduled inspection plan of these facilities will be followed to insure future compliance.

This plan calls for the formation of a committee of County agencies that have facilities covered by this regulation. These agencies include Public Works, Recreation and Parks, General Services and the Police. This committee will meet in the first year of the plan to determine the exact BMP's to be implemented on a County-wide basis.

The County will work to reduce the amount of sand and salt used for deicing procedures. The County will communicate with the NYSDOT to obtain real time roadbed temperature readings that will determine the optimal amount of road salt deposition during winter storm events. This will provide savings in the amount of salt applied to the roadways and consequently a reduction in the amount applied to our waterways.

An Integrated Pest Management program (IPM) for County facilities will be adopted. The program will advocate the use of non-chemical alternatives to pesticides and herbicides in County parks and buildings.

A goose management plan will be enacted to control the large communities of non-migratory waterfowl currently populating County parks. This program will decrease the nutrient loading associated with these communities that reside in the ponds and streams of all the major tributaries of the County.

The county will adopt a requirement that any drainage project that includes outfalls larger than 36" must include a physical control to retain sediments and floatables.

Minimum Control Measure (6) Pollution Prevention/Good Housekeeping

MEASURABLE GOALS

Target Date	**Best Management Practice Activity**
Year 1:	
MARCH 10, 2003- MARCH 9, 2004	EVALUATE MUNICIPAL OPERATIONS TO PRIORITIZE SITES
	EVALUATE DAY-TO-DAY OPERATIONS OF THE VARIOUS MUNICIPAL AGENCIES
	ESTABLISH COMMITTEE OF ALL AGENCIES TO DETERMINE BMP'S
	IDENTIFY AREAS OF CONCERN FOR FLOATABLES, SEDIMENTS AND NUTRIENT LOADING
	IDENTIFY UPCOMING DRAINAGE PROJECTS AND EVALUATE FOR INCLUSION OF STRUCTURAL CONTROLS FOR SEDIMENTS AND FLOATABLES
Year 2:	
MARCH 10, 2004 – MARCH 9, 2005	TRAINING OF MUNICIPAL SUPERVISORS COMPLETED.
	POLLUTION PREVENTION PLANS SUBMITTED TO COMMITTEE
	DEVELOP YEARLY INSPECTION PLAN OF BMP'S FOR ALL COUNTY FACILITIES
	EVALUATE SAND/SALT USE PRACTICES
	IMPLEMENTATION OF IPM PROGRAM COMPLETED
Year 3:	
MARCH 10, 2005 – MARCH 9, 2006	TRAINING FOR ALL MUNICIPAL EMPLOYEES COMPLETED.
	POLLUTION PREVENTION PLANS COMPLETED AND IMPLEMENTED
	GOOSE MANAGEMENT PLAN ADOPTED
	MAINTENANCE SCHEDULE FOR BMP'S ESTABLISHED.
Year 4:	
MARCH 10, 2006 – MARCH 9, 2007	ADOPT REQUIREMENT THAT ANY DRAINAGE PROJECT THAT INCLUDES OUTFALLS LARGER THAN 36" MUST INCLUDE A PHYSICAL CONTROL TO DEAL WITH SEDIMENTS AND FLOATABLES
	10 % COMPLIANCE WITH BMP MAINTENANCE SCHEDULE
Year 5:	
MARCH 10, 2007 – MARCH 9, 2008	50 % COMPLIANCE WITH BMP MAINTENANCE SCHEDULE
	CONDUCT A REVIEW OF PROGRAM AND DESCRIBE CHANGES FOR SUCCEEDING PERMIT TERM IF NECESSARY.

Definitions (40CFR122)

BMPs (Best Management Practices) – schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of "waters of the United States." BMPs also include treatment requirements, operating procedures, and practices to control plant site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

CWA – Clean Water Act

Illicit Discharge – any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the municipal separate storm sewer) and discharges resulting from fire fighting activities.

MEP – Maximum Extent Practicable

MCM – Minimum Control Measure

MS4 Municipal Separate Storm Sewer System -conveyances (including roads with drainage systems, municipal streets, catch basins, curb, gutters, ditches, man-made channels, or storm drains)

NCSWMP – Nassau County Storm Water Management Program

NPDES (National Pollutant Discharge Elimination System) – National program for issuing, modifying, revoking and reissuing, terminating, imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA.

Outfall – a point source at the point where a municipal separate storm sewer discharges to waters of the United States.

Redevelopment – alterations of a property that change the footprint of a site or building in such a way that results in the disturbance of equal to or greater than 1 acre of land.

SPDES – (State Pollutant Discharge Elimination System) – New York State program for issuing, modifying, revoking and reissuing, terminating, imposing and enforcing pretreatment requirements, under sections 307, 402, 318, and 405 of CWA.

Waters of the United States – (a) All waters which are currently used, were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide; (b) All interstate waters, including interstate "wetlands"; (c) All other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, "wetlands," sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds the use, degradation, or destruction of which would affect or could affect interstate or foreign commerce including any such waters: (1) Which are or could be used by interstate or foreign travelers for recreational or other purposes; (2)From which fish or shellfish are or could be taken and sold in interstate or foreign commerce; (3) Which are used or could be used for industrial

purposes by industries in interstate commerce; (d) All impoundments of waters otherwise defined as waters of the United States under this definition; (e) Tributaries of waters identified in paragraphs (a) through (d) of this definition; (f) The territorial sea; and (g) “Wetlands” adjacent to waters (other than waters that are themselves wetlands) identified in paragraphs (a) through (f) of this definition. Waste treatment systems, including treatment ponds or lagoons designed to meet the requirements of CWA (other than cooling ponds as defined in 40 CFR 423.11(m) which also meet the criteria of this definition) are not waters of the United States. This exclusion applied only to man-made bodies of water which neither were originally created in waters of the United Sates (such as disposal area in wetlands) nor resulted from the impoundment of waters of the United States. Waters of the United States do not include prior converted cropland. Notwithstanding the determination of an area’s status as prior converted croplands by any other federal agency, for the purpose of the Clean Water Act, The final authority regarding Clean Water act jurisdiction remains with EPA.

NASSAU COUNTY STORM WATER MANAGEMENT PROGRAM

Program Timeline

August 12, 2002 Nassau County Executive Thomas Suozzi sends letter to all municipalities on requirements of Phase II program and Nassau County's desire to work cooperatively. County requests storm water contact for each municipality contact the Department of Public Works.

Nassau County develops brochure on Nassau County's strategy for implementing a Phase II Storm Water Program.

September 25, 2002 Nassau County Executive Thomas Suozzi delivers opening remarks at *Phase II Storm Water Workshop…Preparing Long Island Communities to Meet the Requirements of EPA's Phase II Storm Water Regulations.* Hosted by the Coalition to Save Hempstead Harbor at Bethpage State Park.

October 22, 2002 Nassau County Department of Public Works presents strategy for Phase II implementation at *QC2002 conference* in Albany, hosted by the NYS Department of State.

October 28, 2002 Nassau County sends letter to 67 Cities, Towns and Villages within the County, inviting them to an informational workshop to be held on November 19, 2002.

November 18, 2002 Nassau County sends comments on Draft Permit to NYSDEC.

November 19, 2002 Nassau County Department of Public Works holds informational workshop on the Phase II regulations at the Aquatic Center @ Eisenhower Park. Representatives of 36 Villages, 3 Towns, the City of Glen Cove and the NYSDOT, which is a specially designated MS4, attended the workshop. Some consultants who attended, represent multiple municipalities.

December 3, 2002 Nassau County DPW facilitates Working Task Group meeting to discuss minimum control measures, Best Management Practices (BMP's), the NOI and Storm Water Management Program.

January 13, 2003 Nassau County DPW facilitates Working Task Group meeting to discuss minimum control measures, BMP's, the NOI and Storm Water Management Program.

Program Timeline (continued)

January 21, 2003 Letter from Nassau County DPW Commissioner Peter Gerbasi to all municipal officials on the status of the Phase II program and the willingness to assist each municipality with their NOI and Storm Water Management Program.

February 3, 2003 Nassau County completes draft initial Storm Water Management Program (NCSWMP) and transmits copies to each of the Working Task Group members for review.

February 11, 2003 Letter sent to all municipalities about status of Phase II program and that the County is willing to assist each municipality with the preparation of the NOI and Storm Water Management Program.

February 11, 2003 Comment period on NCSWMP concludes.

February 14 – March 3, 2003
Staff from the Departments Water Resources Unit assisted municipalities in preparing their NOI and initial SWMP.

March 3, 2003 NOI is sent to NYSDEC.

March 10, 2003 Coverage under SPDES General Permit GP 02-02 begins for Nassau County.